

# Start Collecting these Documents and Information to Make Applying for 8(a) Easier

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The documents you are collecting should be saved in a PDF format no larger than 25MB each. Be prepared to upload these documents as you fill out the questionnaires on Certify. Pre-save the necessary files with the following format: file name\_year (ie TaxDocument\_2015).

## For Firms

### Basic Eligibility:

- Acquisition documents** (if the assets of a previously certified 8(a) program participant constitute 50% or more of the current applicant firm's assets).
- Signed representative information form** (if the applicant is hiring an outside consultant to assist).
- Previous size determination or redetermination letters** issued by the SBA.

### Ownership:

- Corresponding 1010 form** (if applicant is a firm that is owned by, or a wholly owned subsidiary of, an American Indian tribe (1010-AIT), an Alaska Native Corporation (1010-ANC), a Community Development Corporation (1010-CDC), or a Native Hawaiian Organization (1010-NHO).
- Stock, purchase, or sales agreements and evidence of compliance with terms and conditions** (if the applicant firm's ownership, legal structure, or name changed in the last two years).
- Buy-sell agreements, shareholder agreements, unexercised stock options, or other similar arrangements** which could impact the unconditional ownership of disadvantaged individuals.
- If the applicant firm currently has ownership interest in any other firm, or another firm/organization has more than 10% ownership interest in the applicant firm, upload a document listing: **firm name, address, business structure, names of owners, officers, and board of directors, primary NAICS code, nature of the relationship, percentage of ownership, and if the firm was ever certified as an 8(a) participant. Last three years of Federal tax returns, including all schedules and amendments** (required if the applicant has ownership in another firm).

**Additional information based on business structure:**

Corporations	LLCs	Partnerships	Sole Proprietors
Articles of Incorporation (original and latest)	Articles of Organization (original and latest)	Partnership Agreement (latest)	Doing Business As (DBA) Name Certificate or Fictitious Business Name Filing
Bylaws (latest)	Operating Agreement (latest)		
Most recent Stockholder or Board Member Meeting Minutes showing the election of officers and directors	Resolutions, or other documentation designating officers, directors, member representatives, management committee members, and general managers (if not in operating agreement)		
Stock certificates (front/back) and Stock ledgers or registers	Membership certificates (front and back) and ledgers (only required if the LLC has issued membership shares)		
Certificate of Good Standing (may be called Certificate of Existence or Certificate of Status)	Current Certificate of Good Standing (may be called Certificate of Existence or Certificate of Status)		
Transmutation agreements (for community property states)			
Voting agreements			

**Control:**

- Joint venture, mentor protégé, indemnity, consulting, teaming and shared services agreements, or distributorship agreements**
- Names, nature of assistance, and copies of agreements governing the relationship** (if other firms or individuals provide financial support or bonding support to the applicant firm).
- Names, nature of assistance, a copy of the license or certification, and copies of agreements governing that relationship** (if other firms or individuals provide licensing, certifications, or permits to the applicant firm).

- All business bank account signature cards** (these cards can be obtained from the financial institution), or, if signature cards are not available, upload a letter from the bank identifying all individuals with signatory authority on all bank accounts.

## Potential for Success:

- Federal business tax return filed in the last three years**, including all schedules and attachments.
- Documentation showing how the applicant firm meets the potential for success requirement** (if the firm has not been in business in its primary NAICS code for at least two years as shown by revenues reported on the two most recent Federal business tax returns). Revenue is still essential to be granted a waiver. Waivers may be granted if:
  - The individual or individuals upon whom eligibility is to be based have demonstrated substantial business management experience; the firm has technical experience; the firm has a record of successful performance on contracts from governmental and/or nongovernmental sources in its primary industry; the firm possesses adequate capital to sustain its operations and carry out its business plan; and the firm can demonstrate the ability to obtain personnel, facilities, equipment, and any other requirements in a timely manner. **This waiver documentation varies for an entity-owned firm.**
- Interim or year-end Balance Sheet and Profit and Loss Statement**, including aging of accounts payable and accounts receivable. Documents should be for the same period and no older than ninety (90) days from the submission of application or recent year end.
- Loan documents** (current business loans and also lines of credit for any non-commercial loans, including the complete terms of the loan, loan sources, amounts, purposes, name(s) of any persons/firms securing the loan and the name(s) of those guaranteeing the loan. This includes any loans from factoring companies and officer's, shareholder's, or member's loans).
- Business and Special License(s) required in the firm's industry** (i.e. engineering, accounting, construction).
- Statement of bonding ability**, including applicant firm's single and aggregate bonding limits (if the firm is a construction company).
- List of current and past Federal and non-Federal awarded contracts within the last 12 months (award date, agency/customer, NAICS code, description, value)**. Note: This data will be inputted into an online table and not uploaded.

## Character:

- Details regarding any debarment or suspension, including documentation showing the debarment has been lifted** (if the applicant firm (under any name) has ever been debarred or suspended by any

Federal entity. *Note: Debarred or suspended firms or firms owned by debarred or suspended persons are ineligible for admission to the 8(a) Business Development program.*

- Obligations including delinquent tax returns and delinquent SBA loans** (if the applicant firm has any outstanding delinquent Federal, state, or local financial obligations or liens filed against it) *Note: Neither a firm nor any of its principals that fails to pay significant financial obligations owed to the Federal Government, including unresolved tax liens and defaults on Federal loans or other federally assisted financing, is eligible for admission to or participation in the 8(a) Business Development program.*
- Document describing firm's interest in any pending lawsuit, the claims, the current status, and a copy of the complaint, answer, and/or counterclaim filed in the suit** (if the applicant firm is a defendant in a pending civil lawsuit).
- Details and a copy of the bankruptcy court's final order or discharge** (if the applicant firm filed for bankruptcy or insolvency within the past 7 years).

## For Individuals

### All Individuals:

- **Disadvantaged individual(s) (DVD)**
- **Spouse(s) of disadvantaged individual(s)\***
- **10% or more owners**
- **Director(s), management member(s), managing partner(s), and officer(s)**

**\*If spouse is claiming DVD, spouse should fill out DVD questionnaire, not spouse questionnaire**

- If you own or work for another firm that has a relationship with the applicant firm, upload a document listing **firm name, firm NAICS code, your ownership or interest, your title, your primary role or function, nature of the relationship with the applicant firm, financial details (loan or other agreements), business revenues, and any additional pertinent details.**
- Information about prior 8(a) involvement, including firm name, DUNS number, ownership or interest, NAICS code that the firm was approved under, additional relevant information** (if the individual or any firm that the individual has owned has applied for 8(a) certification or participated in the 8(a) program, including withdrawal or denial of an application or termination, voluntary withdrawal, or early graduation from the 8(a) program).
- Information about immediate family member(s) who have ever owned an 8(a) firm, including firm name, owner's name and title, ownership or interest, NAICS code the firm was approved under, any additional relevant information including business relationships with the applicant firm** (*Immediate*

*family members include your father, mother, husband, wife, son, daughter, brother, sister, grandfather, grandmother, grandson, granddaughter, father-in-law, and mother-in-law).*

- Letter of No Objection from the individual's federal agency** (if the individual or any member of the individuals' household is a Federal Government employee holding position of GS-13 or above).
- Explanation and copy of the bankruptcy court's final order or discharge** (if the individual filed bankruptcy within the previous 7 years).
- SBA loan details including name of borrower, date approved (or estimated date), and current status of the loan** (if the individual has previously obtained an SBA loan).
- Pending lawsuit details including interest in the suit, summary of the claims, and current status of the suit** (if the individual is a party to a pending civil lawsuit).
- Debt Obligation details, including the following details for each debt obligation: Explanation, type, and status of each delinquency. Details of the repayment arrangement, compliance with repayment arrangements, and deferred payment status for student loans** (if the individual is delinquent in paying or filing Federal taxes or Federally guaranteed obligations including Federal student loans, business taxes or liens, or personal Federal, State, or local tax returns).
- Narrative for each criminal offense including the date, location, fine, sentence, whether offense was a misdemeanor or felony, dates of parole or probation, any unpaid fines or penalties, name you were charged under, copies of all relevant court dispositions or documents and fingerprint card form FD-258** (if you are presently subject to an indictment, criminal information, arraignment, or other means by which formal criminal charges are brought in any jurisdiction, and/or have been arrested in the past six months for any criminal offense, and/or for any criminal offense – other than a minor vehicle violation – you ever been convicted, plead guilty, plead nolo contendere, have been placed on pretrial diversion, or have been placed on any form of parole or probation (including probation before judgment)).

### **Additional Documents for Disadvantaged Individual(s) (DVD):**

- Separation agreement from spouse** (If legally separated)
- Resume including education, technical training, description of your current duties within the applicant firm, any outside businesses you own, and any other current or past employment** (including employer's name, dates of employment, job title, and description of duties)
- Personal Federal income tax returns filed for the past three years (including accompanying W-2 forms, schedules, forms, statements, and 1099s accompanying the tax returns)**
- Evidence of US Citizenship, such as US Passport, Certificate of Naturalization, or Consular Report of Birth Abroad of a Citizen of the US (Form FS-240)** (if born outside the US).

- External Job Details, including your title, primary role and responsibilities, average number of hours worked per week, normal weekly work schedule, explanation of how it does not conflict with the day-to-day management of the applicant firm** (if you have another job)
- Birth certificate** (if individual is an Alaskan or Hawaiian Native) or **tribal card** (if enrolled member of a federally or state recognized Indian tribe) *Note: If individual is claiming as a Native American but is not currently an enrolled member of a federally or state recognized tribe, then a claim must be made based on a preponderance of the evidence.*
- Social disadvantage narrative, including when and where each incident occurred, who committed the act, how the incident took place, and how the incident negatively impacted your entry into or advancement in the business world** (if individual is not a member of one of these presumed socially disadvantaged groups: Black Americans, Hispanic Americans, Native Americans, Asian Pacific Americans, and Subcontinent Asian Americans). Preferably no longer than three pages.
- Documentation that includes terms and restrictions of retirement accounts, such as traditional IRA, 401K, Roth IRA, Self Employed Pension Plan, Thrift Savings Plan, etc.** *Note: The most recent account statement from you IRA provider will suffice in most cases. SBA will not include the funds in calculating your net worth if documentation provided indicates that the funds are not available until retirement age without a significant penalty.*

### **Additional Documents for 10% Owners (former majority owner of applicant firm):**

- If the individual is a former majority owner (51% or more) of the applicant firm, upload **applicable details of the sale such as a copy of the agreement, which details the terms and conditions of the transaction, and explain how you determined the sale price, and evidence of compliance with the payment terms.**

### **Additional Documents for Spouse of DVD(s)**

- Personal Federal tax returns filed for the last three years (including all accompanying W2 forms, schedules, forms, statements, and 1099s).** This is not necessary if filed jointly with DVD(s).